

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Harold Van Ness Lance II and
Angela Kaye Malletta-Lance,
Debtors.

Bky. 11-40902
Chapter 7

ORDER

The above-captioned matter came on for a hearing upon the Motion of First Commercial Bank ("Movant") pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) and Fed. R. Bankr. P. 4001 seeking relief from the automatic stay to permit Movant to enforce its contractual and state law rights to foreclose upon real and personal property subject to Movant's secured interest.

Based upon all the evidence and the Court being fully advised of the premises,

IT IS ORDERED:

1. Movant's motion for relief from the automatic stay is granted so as to allow Movant to enforce its state law and contractual remedies to collect the rents and foreclose its interest, by advertisement, action or voluntary agreement, with respect to real property subject to the Assignment of Rents and the following mortgages:

A. A Mortgage in the amount of \$142,000.00 in favor of Movant recorded with the Office of the Registrar of Titles, Hennepin County, Minnesota as Document No. 4358033 on February 15, 2007, encumbering, in part, the following real property described as:

Unit Nos. 39 and 47, Condominium No. 513, Westbrooke-Park Condominium, a Condominium located in the County of Hennepin;

and

Unit Nos. 66 and 124, Condominium No. 459, Westbrooke-West Condominium, a Condominium located in the County of Hennepin;

B. A Mortgage in favor of Movant recorded with the Office of the Registrar of Titles, Hennepin County, Minnesota as Document No. 4408105 on July 23, 2007, with the Office of the County Recorder, Hennepin County, Minnesota as Document No. 9010612 on July 20, 2007, and with the Office of the Registrar of Titles, Ramsey County, Minnesota as Document No. 2013945 on August 9, 2007, encumbering, in part, the following real property described as:

Lot 33, Block 4, Marquette Addition to Minneapolis, Hennepin County, Minnesota;

Lot 13, Block 26, Beaver Lake Heights, Ramsey County, Minnesota;

Unit Nos. 39 and 47, Condominium No. 513, Westbrooke-Park Condominium, a Condominium located in the County of Hennepin;

and

Unit Nos. 66 and 124, Condominium No. 459, Westbrooke-West Condominium, a Condominium located in the County of Hennepin;

C. A Mortgage in favor of Movant recorded with the Office of the County Recorder, Hennepin County, Minnesota as Document No. 9154304 on July 2, 2008, encumbering, in part, the following real property described as:

Lot 33, Block 4, Marquette Addition to Minneapolis,
Hennepin County, Minnesota;

D. A Mortgage in favor of Movant recorded with the Office of the Registrar of Titles, Ramsey County, Minnesota as Document No. 2044208 on June 30, 2008, encumbering, in part, the following real property described as:

Lot 13, Block 26, Beaver Lake Heights, Ramsey County,
Minnesota.

2. The rents collected will first be applied to maintain the properties and the remainder, if any, to the Movant.

3. Notwithstanding Federal Rules of Bankruptcy Procedure 4001(a)(3), this Order is effective immediately.

Dated: March 31, 2011

/e/ Nancy C. Dreher

Nancy C. Dreher
United States Bankruptcy Court Judge

NOTICE OF ELECTRONIC ENTRY AND
FILING ORDER OR JUDGMENT
Filed and Docket Entry made on **03/31/2011**
Lori Vosejpk, Clerk, by KK